



PATENT
Docket No. 290.00090101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Kinch et al.) Group Art Unit: 1642
Serial No.: 09/640,952) Examiner: Karen A. Canella
Confirmation No.: 3252)
Filed: 17 August 2000)
For: EPHA2 AS A DIAGNOSTIC TARGET FOR METASTATIC CANCER
(As Amended)

RESPONSE UNDER 37 C.F.R. 1.116

Assistant Commissioner for Patents
Washington D.C. 20231

Dear Sir:

The Office Action mailed October 22, 2002, has been received and carefully reviewed. Consideration of the following remarks is respectfully requested.

REMARKS

The pending claims are claims 1, 3-13, 21, 23, 24, 28, 30, 31, 33-47, 49-69, 72, 73, 75-81, 90 and 91. The Examiner's statement in the Office Action mailed October 22, 2002, of the pending claims appears to be incorrect in that it does not reflect the cancellation of claims 22, 29 and 32 in the previous Amendment mailed May 30, 2002.

Applicants thank the Examiner for renumbering as claims 90 and 91 the two claims newly added in the previous Amendment mailed May 30, 2002, and will adjust their records accordingly. A clean set of the presently pending claims is attached as Appendix A.

Rejection under 35 U.S.C. §112, First Paragraph

The rejection of claims 4, 31, 50 and 54 under 35 U.S.C. §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the

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